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Respondent.

(Certificate of Appealability—#41)

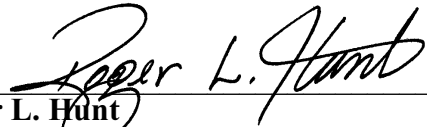
Third, her Amended Complaint attempts to make Title VII claims of sexual harassment by unnamed individuals when she apparently worked for First National Bank of Nevada, but it is brought on pursuant to § 1983, on a form Civil Rights Complaint Pursuant to 42 U.S. § 1983, all of which is contrary to law.

1 Fourth, the Amended Complaint, which was filed March 2, 2007, claims the sexual  
2 harassment occurred in March 2004. The statute of limitations for Section 1983 actions is  
3 determined by state law. *City of Santa Rosa*, 49 F.3d 583, 585 (9<sup>th</sup> Cir. 1995) (citing *Harding v.*  
4 *Galceran*, 889 F.2d 906, 907 (9<sup>th</sup> Cir. 1989), *cert. denied* 598 U.S. 1082 (1991)). Her Amended  
5 Complaint also violates that statute of limitations and could have been dismissed on that basis as  
6 well.

7 Appellant's claims are obscure and untimely. Any appeal from the dismissal would  
8 be frivolous.

9 Accordingly, IT IS HEREBY ORDERED that Appellant's Request for issuance of  
10 Certificate of Appealability is DENIED.

11 Dated: April 3, 2008.

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14 **Roger L. Hunt**  
15 **Chief United States District Judge**  
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